SYNOPSIS
Prohibits substitution of prescribed epilepsy drugs by pharmacists without prior notification to physician and patient, and physician’s prior approval.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning substitution of epilepsy drugs and
supplementing P.L. 1977, c. 240 (C. 24: 6E-1 et seq.).

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. a. Notwithstanding any law to the contrary, if a prescribing
physician indicates through code or description an epilepsy or
seizure diagnosis, a pharmacist shall not interchange an
antiepileptic drug or formulation of an antiepileptic drug, brand or
generic, without providing prior notification to the patient, or the
patient’s parent, legal guardian or spouse, as applicable, and
obtaining prior approval from the prescribing physician.

b. As used in this act:
“Antiepileptic drug” means any drug prescribed for the treatment
of epilepsy or a drug used to treat or prevent seizures.
“Epilepsy” means a neurological condition characterized by
recurrent seizures.
“Interchange” means the substitution of one version of the same
antiepileptic therapeutic product, including a generic version for the
prescribed brand, a brand version for the prescribed generic version,
a generic version by one manufacturer for a generic version by a
different manufacturer, a different formulation of the prescribed
antiepileptic drug, or a different antiepileptic therapeutic drug
product for the antiepileptic product originally prescribed.
“Seizure” means an acute clinical change secondary to a brief
disturbance in the electrical activity of the brain.

2. This act shall take effect on the first day of the second month
following the date of enactment.

STATEMENT

This bill prohibits a pharmacist from interchanging a brand or
generic antiepileptic drug without prior notification to the patient,
or the patient’s parent, legal guardian or spouse, as applicable, and
obtaining prior approval from the prescribing physician, if the
prescribing physician indicates through code or description an
epilepsy or seizure diagnosis.
The bill defines:
-- “antiepileptic drug” to mean any drug prescribed for the
treatment of epilepsy or a drug used to treat or prevent seizures;
-- “epilepsy” to mean a neurological condition characterized by
recurrent seizures; and
-- “interchange” to mean the substitution of one version of the
same antiepileptic therapeutic product, including a generic version
for the prescribed brand, a brand version for the prescribed generic
version, a generic version by one manufacturer for a generic version
by a different manufacturer, a different formulation of the
prescribed antiepileptic drug, or a different antiepileptic therapeutic
drug product for the antiepileptic product originally prescribed.